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Held at the Palais des Nations, Geneva,
on Wednesday, 17 February 1993, at 10 a.m.

Chairman: Mr. ENNACEUR (Tunisia)

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The meeting was called to order at 10.35 a.m.

COMMEMORATION OF THE INTERNATIONAL YEAR FOR THE WORLD'S INDIGENOUS PEOPLE (agenda item 28)

1. The Chairman declared open the 24th meeting which was of an exceptional nature, since the Commission had decided to devote it to the celebration of the International Year for the World's Indigenous People, and recalled that it had been the Commission itself that had initiated the idea of proclaiming an international year of that nature. It had accordingly, in its decision 1990/113 adopted on 7 March 1990, made a recommendation to that effect to the General Assembly which, in its resolution 45/164 of 18 December 1990, had officially proclaimed 1993 as the International Year for the World's Indigenous People. The Commission on Human Rights would continue to play an important role in protecting and promoting the rights of those peoples and would, in 1994, evaluate the activities that had been carried out in the course of 1993. Furthermore, if the Working Group on Indigenous Populations and Sub-Commission on Prevention of Discrimination and the Protection of Minorities continued their work with their usual efficiency, the Commission would soon be able to consider the draft universal declaration on indigenous rights.

2. During the previous 10 years, that draft declaration had been discussed at length by the Working Group on Indigenous Populations with the participation of many Governments and the organizations or communities they represented. The approximately 300 million indigenous peoples in the world were often the poorest, the most disadvantaged and the most marginalized, and therefore the most vulnerable in the societies in which they lived. They had lost their land as a result of colonization and their culture was threatened, even at the present time, by assimilation processes. The diversity of human society, with its wealth of languages, traditions and cultures, must be preserved. The indigenous peoples were aware, more than anyone else, of the fragility of certain ecosystems (tropical forests, deserts, and arctic or mountainous regions) and many of them were practising forms of sustainable development. Although they had been victims of history, they must in future be full partners of the international community in its efforts to build up a more harmonious human society. What they wanted to say when they addressed the United Nations was that they desired justice and respect for their fundamental rights and wished to share with the international community their experience, their concerns and their vision of the future. Some of their representatives would inform the Commission of their hopes and aspirations at the present exceptional meeting.

3. It was also a very great honour for the Commission to be able to welcome Mrs. Rigoberta Menchú Tum, the recipient of the 1992 Nobel Peace Prize. Speaking on behalf of all members of the Commission, he expressed his warm congratulations, thanked her for coming to address the Commission and paid tribute to her commitment as well as the courage and determination she had displayed for the sole purpose of achieving reconciliation between various ethnic groups in her country. In that connection, the millions of indigenous inhabitants who were unable to address the Commission and to express their desires should not be forgotten. Of the hundreds of non-governmental organizations in consultative status with the Economic and Social Council and which were therefore represented in the Commission or in other bodies of the United Nations system dealing with human rights, only 11 represented indigenous peoples. He recalled that the Voluntary Fund for Indigenous Populations that had been created in 1985 helped their representatives to defray their travel and

subsistence expenses. If the theme adopted for the International Year, namely, "a new partnership" was to be given its full meaning, steps must be taken to ensure that indigenous peoples could participate fully in the Commission's deliberations and be able to play their rightful role in its work.

STATEMENT BY MR. BLANCA, UNDER-SECRETARY-GENERAL FOR HUMAN RIGHTS

4. Mr. Blanca (Under-Secretary-General for Human Rights) also recalled that it had been the Commission which had recommended, in 1990, that the General Assembly should proclaim 1993 as the International Year for the World's Indigenous People and that, the following year, it would examine and evaluate the progress made in the course of 1993, in co-operation with their representatives.

5. The indigenous peoples, regardless whether they lived in rich or poor countries, were certainly among the most disadvantaged of society. To a great extent they had been dispossessed of their land and their natural resources by colonialism and marginalized by certain government practices. Many of them therefore experienced, in their daily lives, violations of their civil and political rights as well as economic, social and cultural rights. During the past 10 years, they had been able to explain, in the Working Group on Indigenous Populations, the problems they encountered in their respective countries. They were expecting the United Nations to do a great deal to protect and promote their fundamental rights, namely, the right to preserve and develop their language and culture, the right to bring up their children in accordance with their traditions, the right to live on their ancestral land, and the right to benefit from the natural resources which constituted the wealth of that land and which they had managed to protect for generations. They had expressed their right to control their development and their future.

6. In his capacity as Coordinator for the International Year for the World's Indigenous People, he had endeavoured to do everything possible to contribute to its success and to realize the expectations of those peoples. The Centre for Human Rights had embarked upon a large number of activities and contact had also been established with the United Nations bodies and specialized agencies that had expressed the desire to strengthen their programmes or to launch specific projects in their particular fields. Among the activities already carried out in the context of the International Year he observed that, on 10 December 1992, 20 representatives of indigenous peoples had had the opportunity of presenting their problems and expressing their hopes at a special session of the General Assembly, opened by the Secretary-General of the United Nations. That ceremony had marked the beginning of a new era and of a new relationship between the indigenous peoples and the international community. It was therefore gratifying that the Commission on Human Rights was also enabling the indigenous peoples to present their views on their rights and aspirations in the broadest sense, namely, land, environment, education, health, culture and identity, all of which were of particular importance to them.

7. Contacts between indigenous groups and organs of the United Nations system had also been strengthened in the context of the International Year. An informal meeting held on 11 December 1992 by the Centre for Human Rights in co-operation with the International Labour Organisation had enabled representatives of indigenous peoples to envisage, together with those of the main bodies of the United Nations system, greater co-operation. Those exchanges of views, as well

as the two preparatory meetings for the International Year, had provided a better understanding of the possibilities offered by the United Nations system.

8. He was also gratified by the fact that he was working with three indigenous officers in the Centre for Human Rights which was providing the Secretariat for the International Year. He expressed thanks to the Governments that had promoted that partnership, as a result of which hundreds of indigenous organizations throughout the world could be provided with information. He recalled that the Secretary-General had created a Voluntary Fund for Indigenous Populations for the International Year in order to provide the resources necessary for the implementation of specific projects in the fields of development, education, culture, health and, of course, human rights. Contributions already amounted to almost $US 650,000 in the form of staff participation or funds earmarked for specific projects. Almost $US 120,000 were already available to assist indigenous peoples in the implementation of projects. Over 50 projects drawn up by indigenous communities, mainly in Latin America and Asia, had already been received and their consideration would begin at the end of the month. He appealed to all Governments, non-governmental organizations and other bodies which were in a position to do so to contribute to that Fund throughout the year.

9. He expressed his sincerest congratulations to Mrs. Rigoberta Menchú Tum, the recipient of the Nobel Peace Prize. She, more than anyone else, knew that the indigenous inhabitants were dispossessed of their land and forced to work for others in the fields that had once belonged to them. Up to the nineteenth century community or village land had been used to meet their daily needs. The intrusion of exporting capitalism had aggravated their situation at the same time as coffee growers had made their fortune in the last quarter of the century. Communal land had then been expropriated under the liberal reform in Guatemala in 1877, in El Salvador in 1881 and later on in Nicaragua for the benefit of private landowners. In Guatemala even forced unpaid labour had been reintroduced as well as the personal booklet in which the agricultural labourer had to indicate the services he provided for the boss. That practice had been abolished only in 1944. For the indigenous inhabitants, it would appear that progress was a series of new beginnings.

10. During the International Year, therefore, the indigenous peoples could find no better symbol of their struggle for their rights, identity and culture than Mrs. Menchú Tum. She had agreed, at the request of the Secretary-General, to act as goodwill Ambassadress for the International Year. She would thus be able to visit various indigenous communities in Asia and Latin America, transmit to them the message of the United Nations and inform them of what it was doing to ensure the promotion and protection of their rights as well as to ensure that the partnership remained a vibrant reality throughout the year.

STATEMENT BY MRS RIGOBERTA MENCHU TUM, RECIPIENT OF THE 1992 NOBEL PEACE PRIZE

11. Mrs. Rigoberta MENCHU TUM said it was not only a privilege but also a great responsibility to address the Commission on the occasion of the celebration of the International Year for the World's Indigenous People. It was gratifying that her work side by side with the non-governmental organizations was thereby in a way being recognized. The fact that the Commission had decided to devote one of its agenda items to the celebration of the International Year was also symbolic of the achievements of those peoples. She expressed the hope that the International Year would mark the beginning of a new era in relations between

indigenous peoples and their fellow citizens, and that the fact that she had been awarded the Nobel Peace prize for 1992 would be considered as a tribute to those who had disappeared and as encouragement in the struggle to protect the rights of the indigenous peoples.

12. It was the first time that the Commission was specifically considering the issue of indigenous peoples. Since 1982 a considerable amount of attention had been devoted to the problem, particularly by the Working Group on Indigenous Populations and the experts who had studied their problems, and as a result of the understanding and encouragement of various States and the support of indigenous organizations and numerous non-governmental organizations.

13. She noted with satisfaction the progress made in drawing up the draft declaration on indegenous rights and hoped that the celebration of the International Year would result in specific measures that would provide a better understanding of the situation of indigenous peoples and promote their participation at the national and international levels. The International Year, which had been proclaimed after 10 years of preparations, should not be confined to celebrations, regardless how symbolic and impressive they might be, for it should also be the occasion for a historical reconciliation and genuine exchanges between various cultures. The time had also come to take stock of the work done in other respects, and in particular in connection with the international campaign on 500 years of indigenous, Black and popular resistance. Presented sensibly and dispassionately, that campaign had enabled the international community to acquire a better understanding of the representatives of indigenous peoples and their organizations.

14. Yet despite all the progress that had been achieved there was no denying that the result of the laborious efforts made to promote the rights of indigenous peoples were still inadequate. The indigenous peoples were still marginalized and had no say in vital decisions that affected their future or in the development of concepts which were of direct interest to them, such as that of human rights. The United Nations should put an end to violations of the individual and collective rights of indigenous peoples and urge States to promote their participation at the national, regional and continental levels. She noted in that respect that States were not according the International Year for the World's Indigenous People the importance it deserved and emphasized that those peoples would not be satisfied by symbolic gestures. It was high time that they should be able to enjoy their civil, political, economic, social and cultural rights.

15. Specifically, she called for approval of the declaration on indigenous rights which provided a national and international legal frame of reference concerning respect for the rights of indigenous peoples and their peaceful coexistence within various societies. ILO Convention 169 should be ratified and applied more widely. Moreover, indigenous organizations should have a greater say in various United Nations bodies, because at the present time very few non-governmental organizations were in consultative status with the Economic and Social Council and a very large number of indigenous movements lacked the means to make their views known. She also considered that the Commission should include the situation as regards the individual and collective rights of indigenous peoples as a permanent item in its agenda and devote the necessary resources to its consideration.

16. Arrangements should be made to ensure the participation of the most representative indigenous organizations in the World Conference on Human Rights to be held at Vienna and also to facilitate the participation of organizations not in consultative status with the Economic and Social Council; the Working Group on Indigenous Populations, the Centre for Human Rights and she herself, as good will Ambassadress for the International Year - a function conferred upon her by the United Nations Secretary-General - could play a role in that regard.

17. The Commission should continue to support the activities of the Working Group on Indigenous Populations, of which Mrs. Daes was the Chairperson, and facilitate active participation in its work of experts from Member States of the United Nations, non-governmental organizations and, of course, representatives of indigenous peoples. It was for the United Nations to embark upon programmes at the national and international level on behalf of those peoples in the light of the priorities they established. In that respect the United Nations should adopt a flexible and receptive attitude so as to benefit from their contributions and participation. It should also identify various diversity and plurality criteria, recognition of which should lead to the elimination of the discriminatory and racist practices that constituted apartheid and ethnic cleansing. She urged the adoption of measures to be implemented over the medium term so that the next century could be one of diversity and plurality and that the role and place of indigenous peoples in society and in history could be recognized.

18. Before concluding, she wished to refer to the situation in her own country, Guatemala. In her view, the Commission had committed a serious error in deciding to discontinue its consideration of the situation in Guatemala under agenda item 12 and to discuss it under the heading of assistance in the field of human rights. The situation prevailing in Guatemala must be duly and fairly dealt with as it deserved. In order to put an end to the serious and systematic violations of human rights in that country, the Commission should make use of all possible machinery, regardless whether it already existed or had to be created. The human rights situation in Guatemala called for rigorous measures that the international community, in view of its obligation to the victims of violations and the indigenous peoples, had to apply. She urged the Commission to back the efforts being made to restore peace in Guatemala and accordingly to support Mgr. Quezada Toruño, who was acting as conciliator. The Commission should also promote and encourage the participation of representatives of society at large in the negotiations.

19. It was clear that, beyond celebrations and symbolic gestures, the Commission should turn its attention to vital problems of high-risk indigenous peoples, since it was through concrete action that it would assure their freedom and the coexistence of different communities. She expressed the hope that the worlds indians would enjoy freedom since as long as they lived they would offer the world a glimmer of hope and a unique view of life.

20. Mrs. DAES (Chairperson and Rapporteur of the Working Group on Indigenous Populations) expressed gratitude to the Commission for its support of her Group's work by approving the recommendations it had submitted, and paid special tribute to Mrs. Menchú Tum and in particular thanked her for her contribution in the Working Group on Indigenous Populations.

21. She hoped that the elaboration of the draft declaration would be completed by the Working Group at its eleventh session, to be held in 1993. The draft reflected the aspirations of the indigenous peoples themselves and not only contained principles but was also a guide to priorities and action, not only by Governments but also by various bodies of the United Nations system. It would stand as an important international instrument between Member States and the earth's "first nations". The large number of persons who had attended the Working Group and participated in the preparation of the draft declaration included indigenous peoples and senior officials of many Governments, including ministers and distinguished scholars from around the world. She hoped that the indigenous peoples would continue to communicate their experiences to all human rights bodies in the context of the International Year with its "new partnership" theme - a new partnership which should become apparent during the World Conference on Human Rights.

22. Indigenous peoples were victims of serious human rights violations, inhuman treatment and discrimination in their countries. However, many Governments in the world recognized the difficulties they were experiencing and that was why it was so important to seize the present unprecedented opportunity of radically changing the course of events and accelerating the process of change that had already begun in certain countries. That meant putting an end to racism, colonialism and paternalism and initiating a new era marked by participation, self-government, autonomy and self-determination.

23. The indigenous peoples demanded, among other things, the right to self-determination, which meant nothing more than the right to rebuild their communities in dignity and partnership with Governments and with the support of the United Nations system. It was to be hoped that the indigenous peoples could be a vanguard of democracy and social justice in all the countries in which they lived. It must not be forgotten that, in some countries, as well as very large regions of other countries indigenous peoples constituted the majority of the population and yet had not been able to enjoy effective control over their own destiny. The characteristic that those people had in common was that they had never been included in the process of building the States in which they lived. Modern States had been built around them but without them, and in some cases at their expense, so that legal and administrative frameworks failed to reflect their specific values and rights. Such was the situation that had to be reversed by recognizing the right of indigenous peoples to be partners, as distinct societies, in building better States and, it was to be hoped, a better world.

24. Participation implied responsibilities, and she was proud that the indigenous peoples had come forward to contribute to the most important international peace-building exercises of the 1990s, and particularly the Earth Summit at Rio de Janeiro. Moreover, they had recently requested support for a special preparatory meeting for the World Conference on Human Rights on the theme of human dignity. She hoped that the United Nations would always welcome and facilitate such special contributions to its work. All those activities and meetings lay at the heart of the International Year and they would be more important, in the long term, than the special United Nations activities that would take place during the year itself, since they would help define the "new partnership" between indigenous peoples and the international community and set the new course for work in that field. It was therefore essential that indigenous people should participate actively in the entire process.

25. The Secretary-General had recently prepared an important strategic report entitled "An agenda for peace", outlining an enhanced role for the United Nations in peace-keeping and conflict-resolving operations. The General Assembly, at its forty-seventh session, had also requested the Secretary-General to prepare "An agenda for development", and she in turn proposed the preparation of an "Agenda for indigenous peoples" to guide the work of the United Nations in 1993 and beyond. Her proposed agenda would cover four points which could be achieved within two years. First, the "Agenda for development" should take into account the special needs and perspectives of indigenous peoples and recognize the unique contribution they could make to environmentally sound and sustainable development. The indigenous peoples should be given the freedom and resources to set an example and to become leaders of change. Secondly, an inter-agency research programme should be prepared to monitor the conditions in which indigenous peoples lived. For that purpose, more comprehensive data of better quality should be collected so that United Nations bodies and agencies could set priorities for national and international action and to ensure that development was truly compatible with the expressed wishes of the indigenous peoples themselves. Thirdly, the declaration on indigenous rights, which would be completed by the Working Group before the end of the year, should be disseminated and implemented. Lastly, a representative body of indigenous nations and peoples should be established to provide a global forum for indigenous peoples, which would advise the entire United Nations system on matters of policy and evaluate all aspects of United Nations work in that field. That could be done by enlarging the mandate of the Working Group, changing its reporting relationship with the Economic and Social Council, providing it with human resources and means and building further upon its tradition of participatory working methods. In any event, indigenous peoples should participate as soon as possible in the activities of that representative body so as to ensure its effectiveness, transparency and democracy.

26. Millions of indigenous peoples in many parts of the world were celebrating the beginning of a new era. They were trying to put aside the suffering they had endured in the past and were reaching out to other peoples and to the Governments of United Nations Member States in order together to build a new, better and more human world in which they would participate in achieving sustainable development, social justice and the maintenance of peace.

27. Mrs. GALVIS (Chairman of the Technical Meeting on the International Year for the World's Indigenous People) said that the International Year offered an opportunity to take steps to recognize the pluralism of races and the need for all peoples to participate in the constitution and preservation of the world's cultural heritage.

28. In order to ensure the success of the International Year, the General Assembly had requested its Coordinator to convene a technical meeting of regional commissions, United Nations bodies and representatives of States, organizations representing indigenous peoples and the non-governmental organizations concerned. The purpose of the meeting would be to ensure the continuity of the action embarked upon, so that the Year would not simply constitute a single event in the life of the indigenous peoples, and also to ensure their active participation in the preparation of a programme and specific projects as well as their implementation.

29. The programme of the International Year covered various aspects of importance to indigenous peoples, namely, human rights, development and the

environment, education and culture and health, as well as self-management and self-determination. A Voluntary Fund had been created to finance the activities undertaken by the United Nations in connection with the Year. The Coordinator had estimated that an amount of $US 500,000 was required for 1993; so far $US 120,000 had been contributed. She therefore appealed to all Governments, United Nations bodies, intergovernmental and non-governmental organizations to contribute to the Fund in order to reach or even exceed the target set by the Coordinator.

30. Mr. MOSES (Grand Council of the Crees) said that discrimination against indigenous peoples was a tragic reality of enormous proportions. Yet there was a certain political reluctance at the international level to recognize its severity and scope. That was why the International Year should be an occasion for taking stock of the extent of the problem and including an item on discrimination against indigenous peoples in the Commission's agenda, since commemorative events that did not result in concrete action were of little value.

31. Flagrant violations of human rights against the indigenous peoples of Canada, Guatemala and Columbia were continuing, and the international community must understand that the discrimination practised against those peoples was a reality, even in countries with a reputation for democracy. The Grand Council of the Crees therefore proposed that the Commission on Human Rights should include in the agenda of its fiftieth session an item entitled "Discrimination against indigenous peoples" and that the United Nations should establish a permanent indigenous advisory body of experts on issues affecting indigenous peoples, namely, indigenous peoples and environment, indigenous children, sustainable economic development, traditional knowledge, intellectual and cultural property, etc. Lastly, the Grand Council considered that existing international standards were inadequate, since they failed to confirm that indigenous peoples were recognized as "peoples" under international law.

32. Mr. PINACUE ACHICUE (Grand Council of the Crees) said that he was most concerned by the fact that indigenous peoples were finding it so difficult to make themselves heard by the international community, since peace could be achieved only by listening to others. As a member of one of Columbia's Indian communities, he said that the Government of that country had for years been trying to annihilate his people. He therefore urged the United Nations to create an international monitoring mechanism for Canada and also to adopt a resolution establishing a commission of indigenous peoples.

33. Mr. LECLAIR (Metis National Council and World Council of Indigenous Peoples) said that despite the progress achieved over the previous decade, a great deal still remained to be done to advance the interests, needs and aspirations of indigenous peoples. Canada, which had made substantial progress towards the constitutional recognition of the rights of indigenous peoples bore a special responsibility. The Metis National Council was aware that while Canada's economic development had not always benefited indigenous peoples, other such peoples had been even less fortunate. Yet constitutional reform would not in itself narrow the economic and social gulf between indigenous peoples and other citizens. The Metis nation, like other indigenous peoples, believed that at least part of the solution was the greater recognition of their rights and particularly their right to self-determination.

34. The Metis nation and the World Council of Indigenous Peoples supported the draft declaration and hoped it would be adopted in short order. They also considered that the Commission on Human Rights should promote the declaration and monitor its observance. Lastly, they considered that a post of high commissioner for indigenous peoples should be established within the United Nations and that the Working Group should be transformed into a sub-commission. Such institutional changes would certainly not yield immediate results for the indigenous peoples but they would demonstrate the international community's commitment to their cause.

35. Mrs. MOSS (Inuit Circumpolar Conference) said that the indigenous peoples were afraid that the International Year might prove to be only a symbolic gesture without substantive and lasting results. For that reason, her organization called upon United Nations agencies and States to support the recommendation made by many indigenous peoples for the establishment of a permanent advisory body to the United Nations, such as a commission on indigenous peoples, since that would demonstrate in the most unequivocal way the commitment of the United Nations in the matter. The mandate of that advisory body would be to promote awareness about indigenous issues, to act as an expert source of information on the status of the indigenous peoples of respect for their rights, development, and environment, as well as to organize seminars and publish reports and recommendations regarding indigenous issues. The Inuit Circumpolar Conference also considered that the question of the rights of indigenous peoples should be a permanent item on the agenda of the Commission on Human Rights.

36. Mr. SIMMONS (International Indian Treaty Council), recalling that his organization represented 98 traditional indigenous nations in North America, Central America, South America and the Pacific Islands, paid tribute to all those who had sacrificed their lives in defending the rights of their communities and congratulated Mrs. Rigoberta Menchú Tum, a member of the International Indian Treaty Council Board, on being awarded the Nobel Peace Prize for 1992. He also paid tribute to the memory of personalities such as Phillip Deere of the Muskogee Creek Nation, Bill Wahpepah of the Kickapoo Nation and Kawaipuna Prejean of the Kanaka Maoli Hawaiian Nation. He also recalled the role played by Chief Deskaheh of the Cayuga Nation who, in 1923, had been one of the first to draw the attention of the League of Nations to the problems of indigenous communities; some 70 years later those problems were still being discussed. As had often been pointed out, the only colour of man absent from the world community of nations was the red man of the Western hemisphere.

37. Traditional indigenous peoples had experienced 500 years of terrorism and genocide, their lands had been plundered and pillaged and not only their identity but also their right to live their spiritual way of life on the land of their ancestors had been denied. Today the indigenous peoples were on a collision course with industrial and consumer societies; the earth, which was for them the essence of their spirituality, was not for sale. The steady increase in the number of wars and conflicts in the world indicated that contemporary artificial ideologies were unable to stand the test of time. Although it was encouraging to note a growing awareness of the rights of indigenous peoples, which had led to the creation of the Working Group on Indigenous Populations, he noted that many countries still failed to recognize traditional cultures and that the theft of the land of indigenous peoples was continuing. The International Indian Treaty Council was prepared to participate in the new partnership that had been proposed, providing that the right of indigenous populations to self-determination, their sacred mother the earth, their spirituality and treaty rights and agreements between indigenous peoples and States were all respected.

If their dignity, customs and traditions were respected, the indigenous peoples were prepared to smoke the sacred pipe to seal the new partnership.

38. The International Indian Treaty Council hoped that the Commission would consider the situation in Guatemala as a matter of high priority under item 12 since the indigenous peoples in that country were still subjected to repression and violations of their fundamental rights. He warned that if mankind continued to pollute the air, water and land, it was doomed to perish.

39. Mr. PARY (Indian Council of South America) said it was not an easy matter to resume in a few minutes the history of five centuries of colonial domination and to draw constructive conclusions for future generations. The indigenous peoples considered that the five hundreth anniversary of the conquest of South America did not commemorate the meeting of two civilizations but rather 500 years of indigenous resistance, inquisition, injustice, discrimination and the systematic denial of the human dignity of certain peoples. Five hundred years on it was for the indigenous peoples and nations to restore the historical truth and reveal the nature of the social relationships on the basis of which were built up civilizations that were extremely advanced at the time. It would be unpardonable not to transmit that indigenous heritage to future generations in order to allow them to appreciate the true value of pre-Columbian societies and take stock of the perverse effects of European colonization. The war of conquest and European colonization had destroyed the social and economic structures of the indigenous peoples and even completely denied their identity, and the medieval despotism characteristic of Spanish colonization had even gone so far as to exclude the Indian from the human species.

40. It should not be forgotten that over 90 million Indians had been exterminated, the remainder being reduced to slavery; that was why the descendants of those who had survived that colonial hecatomb called upon the Spanish and Portuguese Governments as well as other former colonial countries to recognize that tragedy and have the courage to ask for pardon, just as others before them had asked the pardon of the victims of the Nazi holocaust. At the present time 80 per cent of the 50 million indigenous inhabitants lived in extreme poverty and were expropriated, persecuted and murdered, particularly in Guatemala and Peru, nor longer at the hands of the Spanish Crown but of national oligarchies in the service of the capitalist West. Five hundred years after the alleged "meeting of two cultures", Western culture continued to exercise complete domination over indigenous culture.

41. If the International Year was to be celebrated in the most appropriate manner, an end should be put to the morally inhuman and historically degrading living conditions of those peoples. The Indian Council of South America therefore urged the international community, as well as all the States concerned, to recognize once and for all that Indians constituted peoples and nations, to recognize Indian identity, not only their ethnic or racial identity but also from the social, political, cultural and economic standpoint, to display the necessary political will to ensure the approval and adoption by the Working Group on Indigenous Populations at its next session of the declaration on the rights of those peoples, to recognize their inalienable and imprescriptible right to self-determination in accordance with which any community may freely decide its way of life, political institutions, etc., to return their land of which they had been dispossessed, to introduce a bilingual system of education as soon as possible and to facilitate the effective participation of indigenous organizations in national, regional and international bodies.

42. Mr. BAER (Nordic Saami Council) expressed the hope that the International Year would serve to further development, co-operation and respect of human rights which were essential to the survival of the indigenous peoples. The Working Group on Indigenous Populations had made good progress but it had yet to complete its main task of drafting a new declaration on the rights and freedoms of indigenous peoples. The Working Group, as an open and accessible body, should continue its work and achieve unanimous or at least majority approval of the results of its work.

43. The Charter of the United Nations and international human rights instruments attached great importance to the equality that should exist between individuals and all national and ethnic groups in their enjoyment of human rights and fundamental freedoms. The link between human rights, democracy and sustainable development had emerged with increasing clarity from the work of the United Nations on problems affecting indigenous peoples. That link was reflected in the standard-setting activities of the United Nations, but it should also be taken into account in the operational work of the United Nations system. The Nordic Saami Council was pleased to note that the International Labour Organisation had organized inter-agency co-ordination meetings in that field, and that emphasis had been placed on development and partnership aspects in the programme drawn up for the International Year. The World Bank had also adopted guidelines for its relationships with indigenous peoples. In order to achieve the desired objectives, indigenous peoples and their organizations must have the opportunity to participate effectively in all the activities envisaged. The institutional framework of the United Nations must also be strengthened in view of the increasing importance of issues affecting indigenous peoples; that could be done by creating a permanent advisory body within the United Nations consisting of representatives of indigenous peoples themselves.

44. Referring to recent developments in the Arctic, he said that a Conference on Co-operation in the Euro-Arctic Region had been held in Kirkenes, Norway, on 11 January 1993. It had been attended by the Ministers of Foreign Affairs of Denmark, Finland, Iceland, Norway, the Russian Federation and Sweden, as well as representatives of indigenous organizations, the Commission of the European Communities and observers from the United States, Canada, France, Germany, Japan, Poland and the United Kingdom. Participants had expressed their conviction that expanded cooperation in the Euro-Arctic region would contribute substantially to stability and progress in the area and in Europe as a whole, where partnership was now replacing confrontation and division. The participants had also reaffirmed their commitment to the rights of their indigenous peoples in the North as well as to the strengthening of indigenous communities in the region.

45. In conclusion, he informed the Commission that the first elections to the Saami Parliament in Sweden would take place on 16 May 1993. The establishment of an elected Saami body had been decided upon by the Swedish Parliament in December 1992. Its decision represented important progress in the direction of creating a new partnership between the Saami people and the Swedish Government. However, a new conflict was emerging concerning the question of hunting rights, but it was to be hoped that it could be resolved rapidly in the spirit of the new partnership.

46. Mr. LITTLECHILD (International Organization of Indigenous Resource Development) said that although much still remained to be done to correct the injustices experienced by the indigenous peoples, substantial progress had been

made since 1977 in the form of the adoption of ILO Convention 169 and the Convention on the Rights of the Child, the establishment of the Working Group on Indigenous Populations and the preparation of the draft declaration on indigenous rights.

47. The Four Nations of Hobbema had consistently defended the following four principles: Indians should be able to exercise their right to self-determination, Indian governments should be able to legislate and apply Indian laws, the consent of the Indians was necessary on matters that affected them, and treaty and aboriginal rights should be recognized. The treaties concluded with the Indian nations implied that they were subjects of international law. The indigenous peoples should have the right to develop and exploit their natural resources so that they could be self-sufficient. Particular importance should also be attached to education and health. In conclusion, he called upon the Commission to urge States to ratify ILO Convention 169, to provide Mr. Alfonso Martinez with the necessary resources to enable him to complete his treaty study, to support the adoption of the declaration on indigenous rights and to ensure that the new partnership became a reality.

48. Mrs. VENNE (International Work Group for Indigenous Affairs) said she would leave it to Mr. Havini, representative of the Provisional Government of the Island of Bougainville, to describe the situation of the people of Bougainville.

49. Mr. HAVINI (Indigenous World Association) said that Papua New Guinea was using armed force in its attempt to liquidate the people of Bougainville and their culture. He called upon the Commission to take action to enable that people could exercise its right to self-determination and invited members of the Commission to visit the island to see for themselves the genocide that was being carried out by the Government of Papua New Guinea.

50. Mr. DEER (Indigenous World Association) suggested that, in view of the large number of problems being experienced by indigenous peoples, the Commission might envisage, following the International Year, the proclamation of a Decade of Indigenous Peoples. Mrs. Tipaz would describe the situation of the Maya-Quiche people of Guatemala.

51. Mrs. TIPAZ (Indigenous World Association) said that the Maya people of Guatemala had been exploited and stripped of their land for 500 years. Despite their repression by the Guatemalan State, they were now daring to make their voice heard and to claim their rights. Peace could be restored in Guatemala only if the army ended its persecution and respected the life of the indigenous inhabitants, if civilian patrols were discontinued, if forced enlistment in the army was ended and if the Maya people were allowed to exercise their rights in full.

52. Mr. SIOUI (Four Directions Council) wholeheartedly supported the recommendations submitted by Mrs. Daes and Mrs. Menchú Tum. He expressed the hope that indigenous nations would be able to exercise their right to self-determination and be recognized as nations in their own right and, as such, be in a position to express their views in the Commission without having to use the non-governmental organizations as intermediaries. The indigenous nations of the North, of which he was a member, would display increasing solidarity with

those of the South and, in general, with indigenous nations throughout the world, whose members now included extremely competent persons, were supporting one another to an increasing degree and combining their efforts in order to be taken seriously by the international community.

53. Mr. LIRIO YANGUA (Four Directions Council), speaking on behalf of the Confederation of the Amazonian Nations of Peru (CONAP), called upon Peru to recognise the multinational and pluricultural character of the country, as well as the specific rights of the Amazonian nationalities in matters of cultural identity, land, autonomous organization, participation in local, regional and national politics, and education and health.

54. Moreover, Peru, Brazil, Columbia and Ecuador should agree to facilitate cultural exchanges between the various Amazonian nations that were divided by present frontiers. The indigenous nations of Latin America should become members of the same association in order the better to assert their right to self-determination. Indigenous scholars and scientists should also meet in order to consider what should be done to promote sustainable development. The indigenous peoples should participate in the adoption of decisions taken by States and be responsible for the direct management, without any intermediary, of the United Nations Voluntary Fund for Indigenous Populations.

55. Mr. CABACANGO (Four Directions Council), speaking on behalf of the Confederation of the Indigenous Nations of Ecuador (CONAIE), said that the cultural identity, land and the very lives of the indigenous peoples of Amazonia were seriously threatened by the activities of transnational corporations, States and their armies, and paramilitary bands. The indigenous peoples therefore urged States to ratify ILO Convention 169 as rapidly as possible, to incorporate the rights of the indigenous peoples in their Constitutions and to ensure that the declaration on indigenous rights was adopted rapidly. He also called for the establishment of a United Nations office of the high commissioner for indigenous affairs, the staff of which should include indigenous peoples and which would be responsible for ensuring respect for their rights. Indigenous peoples should also participate in all regional and international bodies responsible for the organization of the International Year for the World's Indigenous People. Lastly, the World Conference on Human Rights should include in its agenda an item devoted exclusively to the indigenous peoples.

56. Mr. LEON ALVARADO (Four Directions Council) paid tribute to all those who had condemned the discrimination, oppression and marginalization experienced by indigenous peoples, thanked the Mexican Government for its hospitality to Mrs. Rigoberta Menchú Tum and asked that a number of measures should be taken on behalf of the indigenous peoples.

57. Their identity, culture, and specific rights must be respected, and the draft declaration on indigenous rights must be approved without reserve. The question of indigenous peoples must be included in the agenda of the Commission on Human Rights, the World Conference on Human Rights and other United Nations bodies. Moreover, the United Nations Voluntary Fund for Indigenous Populations must be administered directly by the representatives of indigenous peoples without interference from Governments, and the Working Group on Indigenous Populations must continue its work. He concluded by calling on the Commission to pay particular attention to the human rights situation in Guatemala.

58. Mrs. BIRRAUX-ZIEGLER (International League for the Rights and Liberation of Peoples), speaking on behalf of the non-governmental organizations participating in the Commission's session, expressed the hope that the International Year would mark the beginning of genuine co-operation with indigenous peoples. In paying tribute to Mrs. Rigoberta Menchú Tum, she said that the fact that she had been awarded the Nobel Peace prize reflected recognition of the noble nature, vitality and university of indigenous resistance.

59. In future the Commission should devote a special agenda item to the question of indigenous peoples, who should be associated more closely with thinking about the environment and development. She supported wholeheartedly the proposal made by Mrs. Daes for the establishment of a world forum of indigenous peoples and nations within the United Nations system.

The meeting rose at 1.25 p.m.